

Washington, DC - In an effort to restore and strengthen the Voting Rights Act in its upcoming reauthorization, Congresswoman Linda T. Sánchez (CA-39) submitted the following remarks into the record for the House Judiciary Subcommittee on the Constitution's hearing today, "Voting Rights Act: Section 203: Bilingual Election Requirements."

"Thank you Chairman Chabot and Ranking Member Nadler for convening this important hearing today on "Section 203 of the Voting Rights Act, the Bilingual Election Requirements."

"I am a Latina Member of Congress who represents a Congressional district with a substantial Latino and Asian population. Since the year 2000 in Los Angeles County, where my district lies, Hispanic, Chinese, Filipino, Japanese, Korean, and Vietnamese language minorities have been covered by Section 203 of the Voting Rights Act. It is because of my first hand experience that I believe that Section 203 is an essential provision of the Voting Rights Act, and that it needs to be reauthorized and amended to cover all language minority communities. In jurisdictions where large numbers of language minorities reside, Section 203 requires bilingual election materials and ballots, to ensure these communities can fully participate in the electoral process.

"Without the protections of Section 203, thousands of eligible Latino and Asian citizens would be discouraged from participating in the electoral process, and the advances toward political and social empowerment they have made over the last 3 decades would come to a halt. Take, for example, the progress Latinos have made in elections nationwide. In 1974, the year before Section 203 of the Voting Rights Act was enacted there were approximately 1,200 Latino elected officials in the United States. Today there are over 6,000 local, state, and federal electeds, including the 22 Members of the Congressional Hispanic Caucus. Moreover, those Members of the CHC who represent "majority-minority" districts drawn as a direct result of the Voting Rights Act — such as Congressmen Ed Pastor from Arizona and José Serrano from New York, rely on the ability of all voters, including those whose primary language is Spanish, to get to the polls and cast their votes.

"If Spanish-speaking voters can't read the voter registration materials, they may miss a filing deadline and be ineligible to vote. If they can't fully understand their absentee ballot or the instructions on the voting machine, they may inadvertently cast their vote for the wrong candidate or initiative. Any voting practice that results in Latino and other minority voters failing to elect the candidates of their choice is at odds with the intent and the spirit of the Voting Rights Act, and the purpose of Section 203. As recently as 1992, Section 203 was reauthorized because evidence was presented to Congress that discrimination against language minorities persisted, and that discrimination diminished those citizens from participating fully and effectively in the electoral process. Section 203 not only minimizes purposeful discrimination, it also encourages full participation by all voters.

"Critics of Section 203 argue that the provision should be eliminated because only citizens are eligible to vote, and English proficiency is a prerequisite to attaining citizenship. Therefore, the critics argue, Section 203 is not needed. This argument is without merit and should be ignored. U.S. citizens who have immigrated to the United States but are more comfortable with a language other than English are no less entitled to participation in the voting process than English-speaking citizens for whom English is their first language. After all they pay taxes like

every other citizen.

"Voting ballots at times can be confusing for people whose first or only language is English. Some citizens who have acquired English fluency later in life, such as my parents, may be greatly assisted by having materials in their first language. Furthermore, we also need to recognize Native American communities who have lived here before English was ever spoken on this continent. Our voting system should not impose any language barriers on Native American communities' participation in elections.

"I strongly believe that Section 203 should be reauthorized, and the numerical trigger to require language assistance should be reduced from 10,000 to 7,500 to ensure that more language minority voters, especially Asian Americans, have election materials and ballots they can fully understand. Again, I thank Chairman Chabot and Ranking Member Nadler for the courtesy of allowing me to participate in this hearing and including my remarks in the record. I also thank our witnesses on both Section 203 hearing panels for their informative testimony. I yield back the balance of my time."